

## Message Text

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TO AMEMBASSY ASUNCION PRIORITY

AMEMBASSY MONTEVIDEO

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E.O. 11652: N/A

TAGS: SHUM, PFOR, PA, UY

SUBJECT: CONGRESSIONAL HEARINGS ON HUMAN RIGHTS IN  
PARAGUAY AND URUGUAY

1. THE FOLLOWING STATEMENT WAS PRESENTED BY DEPUTY  
ASSISTANT SECRETARY HEWSON A. RYAN ON AUGUST 4 BEFORE THE  
FRASER SUBCOMMITTEE.

2. QUOTE. MR. CHAIRMAN:

3. I AM HERE TO CONTINUE OUR DIALOGUE AND DISCUSSION ON  
THE PROBLEM OF HUMAN RIGHTS AND FOREIGN POLICY IN LATIN  
AMERICA.

4. SINCE MY LAST APPEARANCE BEFORE THIS SUB-COMMITTEE WE  
HAVE BEEN ABLE TO BEGIN TO ASSESS THE IMPACT OF U.S.  
INITIATIVES ON HUMAN RIGHTS ON THE JUNE OAS GENERAL  
ASSEMBLY AT SANTIAGO, CHILE. SECRETARY KISSINGER'S  
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PUBLISHED STATEMENT ON THE HUMAN RIGHTS ISSUE WHICH WAS  
FOLLOWED BY A STRONGLY WORDED RESOLUTION ON HUMAN RIGHTS  
VIOLATIONS IN CHILE, SET THE STAGE FOR STRENGTHENING THE  
INTER-AMERICAN HUMAN RIGHTS COMMISSION AND MADE IT CLEAR TO

THE HEMISPHERE AND TO THE WORLD THAT THE GOVERNMENT OF THE UNITED STATES TAKES SERIOUSLY THE NEED TO PROTECT AND EXTEND THE FUNDAMENTAL RIGHTS OF HUMANITY.

5. EMPHASIZING THAT THE NATIONS OF THE AMERICAS HAVE A SPECIAL RESPONSIBILITY TO PROMOTE HUMAN RIGHTS, THE SECRETARY PROPOSED IN SANTIAGO THAT THE INTER-AMERICAN HUMAN RIGHTS COMMISSION BE STRENGTHENED; AND HIS RECOMMENDATIONS ARE AN ESSENTIAL PART OF THE U.S. POSITION ON OAS REFORM. SINCE THE OASGA, THANKS TO AN AMENDMENT TO THE FOREIGN ASSISTANCE ACT, WE HAVE ALREADY BEEN ABLE TO OFFER A SPECIAL CONTRIBUTION TO THE BUDGET OF THE INTER-AMERICAN HUMAN RIGHTS COMMISSION. WE ARE ALSO CONSULTING WITH OTHER GOVERNMENTS ENCOURAGING THEM TO DO THE SAME. AND WE ARE SEEKING THEIR VIEWS ON OTHER MEANS OF STRENGTHENING THE COMMISSION.

6. IN THE CASES UNDER CONSIDERATION TODAY -- URUGUAY AND PARAGUAY -- WE HAVE ALREADY ANSWERED IN WRITING THE SPECIFIC QUESTIONS OF THE SUB-COMMITTEE ON EACH COUNTRY.

7. THESE ANSWERS REFLECT THE INFORMATION AVAILABLE TO THE DEPARTMENT AND TO OUR EMBASSIES IN THESE COUNTRIES. THAT INFORMATION INDICATES THAT THE VARIOUS ALLEGATIONS COVER A WIDE VARIETY OF CASES, SOME OF WHICH HAVE BEEN CONFIRMED AND ACTED UPON BY THE GOVERNMENTS CONCERNED, OTHERS OF WHICH APPEAR TO BE PARTIALLY OR WHOLLY FOUNDED, WITH STILL OTHERS IMPOSSIBLE TO CORROBORATE.

8. I SHOULD EMPHASIZE IN THIS REGARD THAT THE DEPARTMENT'S POLICY IS TO PROVIDE HUMAN RIGHTS GROUPS WITH EVERY OPPORTUNITY TO MAKE THEIR INFORMATION AND VIEWS KNOWN TO US. THE DEPARTMENT WILL CONTINUE TO GIVE CLOSE ATTENTION TO THE TESTIMONY AND REPORTS OF SUCH INDEPENDENT AND NON-PARTISAN GROUPS AS AMNESTY INTERNATIONAL AND THE INTERNATIONAL LEAGUE FOR HUMAN RIGHTS. WE HAVE A CONTINUING INTERCHANGE WITH AMNESTY INTERNATIONAL AND THE INTERNA-UNCLASSIFIED

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TIONAL LEAGUE FOR HUMAN RIGHTS. WE RECOGNIZE THE DEDICATION AND SERIOUSNESS OF PURPOSE OF BOTH AND GIVE FULL CONSIDERATION TO THEIR FINDINGS IN THE COURSE OF OUR OWN HUMAN RIGHTS REVIEWS.

9. TURNING TO THE SPECIFIC CASE OF URUGUAY, I MIGHT SUM UP BRIEFLY WHAT THE ALLEGATIONS HAVE BEEN AND WHAT RESPONSES THEY HAVE ELICITED.

10. AMNESTY INTERNATIONAL HAS ALLEGED THAT URUGUAY HOLDS AT LEAST 5,000 POLITICAL PRISONERS AND THAT WIDESPREAD AND SYSTEMATIC TORTURE IS BEING CARRIED OUT BY AGENCIES OF THE URUGUAYAN GOVERNMENT.

11. THE INTER-AMERICAN HUMAN RIGHTS COMMISSION PUBLISHED IN ITS ANNUAL REPORT FOR 1975 (AS SUBMITTED TO THE OAS IN JUNE 1975) 22 COMPLAINTS COVERING AT LEAST 290 INDIVIDUAL CASES REGARDING URUGUAY. ALMOST ALL THESE COMPLAINTS INVOLVE MISTREATMENT OF PRISONERS AND/OR ARBITRARY OR PROLONGED DETENTION BETWEEN 1972 AND 1975. THE REPORT DETAILS THE IAHRC REQUESTS TO THE GOVERNMENT OF URUGUAY FOR INFORMATION COVERING THESE CASES AND URUGUAYAN RESPONSES.

12. THE INTERNATIONAL COMMISSION OF JURISTS IN ITS CONCLUSIONS AS PUBLISHED IN THE APRIL/MAY 1974 REPORT RECOMMENDED THAT THE URUGUAYAN GOVERNMENT AT THE VERY LEAST SHOULD INSTITUTE THE FOLLOWING IMPROVEMENTS:

-- A CENTRAL BUREAU OF INFORMATION CONCERNING PRISONERS,

-- REINSTITUTE HABEAS CORPUS,

-- INSURE THAT PRISONERS BE RELEASED AS ORDERED BY JUDICIAL AUTHORITIES.

-- THAT DELAYS IN JUDICIAL PROCEDURES BE AVOIDED,

-- AND THAT LAWS AND PROVISIONS BE STRICTLY APPLIED  
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TO ALL PRISONERS SO AS TO PREVENT TORTURE AND OTHER ABUSES FROM OCCURRING.

13. THE INTERNATIONAL RED CROSS, FOLLOWING ITS NORMAL OPERATING PROCEDURE, HAS REPORTED ITS RECENT FINDINGS ONLY TO THE URUGUAYAN GOVERNMENT. HOWEVER, ON JULY 16, 1976, THE RED CROSS PUBLICLY DISCLAIMED URUGUAYAN NEWS MEDIA REPORTS ALLEGING IRC APPROVAL OF URUGUAYAN PRISON CONDITIONS RESULTING FROM THE APRIL RED CROSS VISIT TO URUGUAY. THE RED CROSS STATED THAT IT HAD BEEN RESTRICTED IN ITS OPPORTUNITIES TO INSPECT PLACES OF DETENTION AND HAD NOT BEEN PERMITTED TO INTERVIEW DETAINEES OF ITS CHOICE WITHOUT WITNESSES. NEVERTHELESS, WE UNDERSTAND THAT THE INTERNATIONAL RED CROSS IS CONTINUING ITS EFFORTS TO ARRANGE FURTHER VISITS TO URUGUAYAN PRISONS AND PRISONERS.

14. IN RESPONDING TO THESE VARIOUS ALLEGATIONS, THE GOVERNMENT OF URUGUAY HAS STATED:

-- THAT STRONG MEASURES ARE CALLED FOR TO COUNTER INTERNATIONALLY-FUNDED SUBVERSIVE TERRORIST

THREATS AGAINST URUGUAY;

-- THAT ABUSES HAVE OCCURRED UNDER EXTRAORDINARY CIRCUMSTANCES, BUT ARE NOT CONDONED. ACTIONS HAVE BEEN UNDERTAKEN TO PREVENT FURTHER ABUSES. IT HAS STRESSED URUGUAY'S TRADITIONS OF RESPECT FOR BASIC HUMAN RIGHTS AND THE DETERMINATION OF THE GOVERNMENT TO RESTORE FULL HUMAN RIGHTS AS SOON AS POSSIBLE.

-- THAT NEW PRESIDENT-DESIGNEE OF URUGUAY, APARICIO MENDEZ, SAID IN A PRESS CONFERENCE IN JULY, THAT HUMAN RIGHTS HAVE BEEN AND WILL CONTINUE TO BE RESPECTED IN URUGUAY. HE ADMITTED PROLONGED PERIODS OF PRE-TRIAL DETENTION. QUESTIONED ABOUT POLITICAL PRISONERS, HE ACKNOWLEDGED THAT SOME 2,000 PERSONS ARE IMPRISONED FOR THEIR SUBVERSIVE ACTIVITIES, BUT CONTENDED THAT THEY ARE NOT IMPRISONED FOR THEIR IDEAS OR BELIEFS.

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15. THE AMERICAN ASSOCIATION IN MONTEVIDEO, THE AMERICAN CHAMBER OF COMMERCE OF URUGUAY, AND THE COUNCIL OF THE AMERICAS OF URUGUAY HAVE ISSUED STATEMENTS REJECTING THE ACCUSATIONS AGAINST THE GOVERNMENT OF URUGUAY AND HAVE ARGUED THAT THE HUMAN RIGHTS SITUATION IS NOT SUCH THAT URUGUAY SHOULD BE THE SUBJECT OF SANCTIONS. THEY HAVE EMPHASIZED THE GOV'S SUCCESS IN RESTORING ORDER AND SAFETY FOR ORDINARY CITIZENS AFTER YEARS OF TERRORIST ASSULTS.

16. AT THIS JUNCTURE I WANT TO EMPHASIZE THAT THE DEPARTMENT DOES NOT TAKE THE POSITION THAT VIOLATIONS OF HUMAN RIGHTS HAVE NOT OCCURRED IN URUGUAY. THEY HAVE, AND HUMAN RIGHTS VIOLATIONS MAY BE CONTINUING. HOWEVER, THE NATURE AND EXTENT OF THESE VIOLATIONS, AS WELL AS THE ACTIONS OF THE URUGUAYAN GOVERNMENT WITH RESPECT TO THEM, ARE MATTERS THAT HAVE ELICITED DIFFERING INFORMATION AND DIFFERING JUDGMENTS. FOR EXAMPLE, AS INDICATED IN OUR WRITTEN ANSWERS TO THE SUB-COMMITTEE'S QUESTIONS, DATA AVAILABLE TO US PLACE THE NUMBER OF DETAINEES UNDER THE NATIONAL SECURITY LAWS AT APPROXIMATELY 2,000 RATHER THAN THE CONSIDERABLY HIGHER FIGURE REPORTED BY AMNESTY INTERNATIONAL. IN THE CASES OF 22 PERSONS LISTED BY AMNESTY INTERNATIONAL AS DYING AS A RESULT OF TORTURE, WE HAVE BEEN ABLE TO CONFIRM THAT 4 OF THESE PERSONS DIED IN URUGUAYAN GOVERNMENT CUSTODY. SEVERAL ARE REPORTED TO HAVE BEEN KILLED IN ARMED CLASHES BETWEEN URUGUAYAN SECURITY FORCES AND ARMED TERRORIST GROUPS, OTHERS WE HAVE BEEN UNABLE TO OBTAIN ANY RELIABLE INFORMATION. OUR BEST GENERAL ESTIMATE IS THAT NATIONAL SECURITY ARRESTS

DECLINED IN 1975, BUT INCREASED AGAIN LATE THAT YEAR AND  
EARLY THIS YEAR WHEN SOME 300 PERSONS WERE ARRESTED IN  
CONNECTION WITH THE DISCOVERY OF EXTENSIVE ARMS CACHES  
MAINTAINED BY THE MILITARY APPARAT OF THE COMMUNIST  
PARTY. WITHIN THE LAST SEVERAL WEEKS, THE ADDITIONAL  
UNCOVERING OF AN ARGENTINE-BASED TERRORIST NETWORK,  
EVIDENTLY CODE-NAMED OPR-33, AND HAVING ASSASSINATION  
PLANS DIRECTED AGAINST VARIOUS OFFICIALS OF THE GOVERNMENT  
OF URUGUAY, HAS ALSO LED TO THE DETENTION OF MORE  
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SUSPECTED TERRORISTS. THE FIGURES WE HAVE BEEN ABLE TO  
CONFIRM IN OUR ANSWERS TO THE WRITTEN QUESTIONS OF THE  
SUB-COMMITTEE INCLUDE THESE RECENT INCREASES. IF, IN THE  
FUTURE IT DEVELOPS THAT WE HAVE UNDERESTIMATED THE  
EXTENT OF HUMAN RIGHTS VIOLATIONS IN URUGUAY, WE WILL  
REVISE OUR ESTIMATE ACCORDINGLY.

17. IN REACHING SUCH CONCLUSIONS THE DEPARTMENT WILL  
CONTINUE TO EXAMINE THE AVAILABLE EVIDENCE INCLUDING THE  
TESTIMONY OFFERED BEFORE THIS SUB-COMMITTEE.

18. I SHOULD MAKE ONE POINT WITH RESPECT TO THAT  
TESTIMONY HOWEVER. THE DEPARTMENT REJECTS AS UNFOUNDED  
AND UNFAIR THE CHARGES MADE HERE LAST WEEK AGAINST THE  
UNITED STATES AMBASSADOR AND HIS EMBASSY IN MONTEVIDEO.  
AMBASSADOR SIRACUSA, A PROFESSIONAL FOREIGN SERVICE  
OFFICER OF SOME 30 YEARS STANDING, HAS CARRIED OUT HIS  
DUTIES IN URUGUAY WITH THE OBJECTIVITY AND CONSCIENTIOUS-  
NESS WE EXPECT OF THE PRESIDENT'S REPRESENTATIVES ABROAD.  
THE ALLEGATIONS OF BIAS AND IMPROPER ACTIVITY ON BEHALF OF  
THE GOVERNMENT OF URUGUAY ARE SIMPLY FALSE.

19. ONE POINT, WE CAN MOST SURELY AGREE. THERE IS NO  
THREAT IN URUGUAY OR ANYWHERE ELSE THAT WOULD JUSTIFY  
TORTURE OR OTHER GROSS VIOLATIONS OF THE HUMAN PERSON.  
WE HAVE EMPHASIZED THAT POINT TO THE GOVERNMENT OF URUGUAY  
AND WILL CONTINUE TO DO SO.

20. IN THE CASE OF PARAGUAY, THE INTER-AMERICAN HUMAN  
RIGHTS COMMISSION HAS INVESTIGATED THE CLAIMS OF GENOCIDE  
AGAINST THE ACHE INDIANS BY THE PARAGUAYAN GOVERNMENT. A  
REPORT HAS NOT YET BEEN ISSUED. THE IAHRC'S ANNUAL REPORT,  
HOWEVER, NOTES THAT THE PARAGUAYAN GOVERNMENT HAS NOT YET  
RESPONDED TO ALL OF ITS INQUIRIES. THE COMMISSION  
PROVISIONALLY ACCEPTED THE PRELIMINARY CONCLUSION THAT  
THE PARAGUAYAN GOVERNMENT'S POLICY IS NOT ONE OF GENOCIDE  
OF THE ACHE BUT RATHER A POLICY ORIENTED TOWARD THE  
ASSIMILATION OF THE INDIANS. THIS PRELIMINARY CONCLUSION,  
HOWEVER, DOES NOT EXCLUDE THE POSSIBILITY THAT ABUSES  
OCCUR.

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21. THE INTERNATIONAL LEAGUE FOR HUMAN RIGHTS, AMNESTY INTERNATIONAL, AND THE INTERNATIONAL COMMISSION OF JURISTS HAVE ALL ALLEGED ABUSES OF HUMAN RIGHTS IN PARAGUAY INVOLVING INDIANS AND POLITICAL PRISONERS. ALL ORGANIZATIONS NOTE THE LIMITATIONS ON INTERNATIONALLY ACCEPTED HUMAN RIGHTS AND FREEDOMS UNDER THE PRESENT PARAGUAYAN GOVERNMENT.

22. ON THE BASIS OF INFORMATION AND ANALYSIS BY OUR EMBASSY IN ASUNCION IT SEEMS QUITE OBVIOUS THAT THE GOVERNMENT OF PARAGUAY HAS TRADITIONALLY HELD PRISONERS WITHOUT CHARGES FOR INORDINATE PERIODS OF TIME AND HAS USED HARSH TREATMENT WITH ITS PRISONERS. WE HAVE CONSISTENTLY MADE IT CLEAR TO THE GOP THAT WE DO NOT CONDONE THESE PRACTICES AND WE HAVE URGED THEM TO RECTIFY THEIR POLICIES.

23. MR. CHAIRMAN, THE DEPARTMENT OF STATE TAKES SERIOUSLY THE PROBLEM OF HUMAN RIGHTS IN LATIN AMERICA. THE SECRETARY MADE CLEAR IN HIS SANTIAGO ADDRESS THAT THE PROTECTION OF THESE RIGHTS HAS AN IMPORTANT PLACE IN HEMISPHERIC RELATIONS. OUR AMBASSADORS HAVE ALSO EXPLAINED IN UNMISTAKABLE TERMS TO THE GOVERNMENTS OF THE HEMISPHERE THAT THE UNITED STATES BELIEVES THE PROTECTION AND EXTENSION OF THE FUNDAMENTAL RIGHTS OF HUMAN BEINGS IS ONE OF THE MOST COMPELLING ISSUES OF OUR TIMES.

24. I NEED NOT REMIND YOU OF THE DIFFICULTIES OF PUBLIC, UNILATERAL U.S. GOVERNMENT ACTIONS IN LATIN AMERICA WHERE APPREHENSION AT ANYTHING THAT MIGHT BE INTERPRETED AS U.S. INTERVENTION CAN BE IMMEDIATELY DISTORTED, NO MATTER HOW NOBLE OR WELL JUSTIFIED ITS MOTIVATION.

25. IN THE CASES OF THE TWO COUNTRIES UNDER CONSIDERATION HERE TODAY, I CAN NONETHELESS TELL YOU SPECIFICALLY THAT OUR AMBASSADORS HAVE FORCEFULLY AND REPEATEDLY EXPRESSED THE USG'S CONCERN IN GENERAL AND ON SPECIFIC CHARGES UP TO AND INCLUDING THE HIGHEST LEVELS OF GOVERNMENT.

26. THE UNITED STATES WILL NOT SHIRK ITS RESPONSIBILITIES; WE BELIEVE OUR EFFORTS CAN SUCCEED BEST THROUGH THE ORGANIZED CONCERN OF THE INTER-AMERICAN SYSTEM. IT IS FOR UNCLASSIFIED

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THAT REASON THAT WE PLACE SUCH STRESS ON THE STRENGTHENING AND SUPPORT OF THE INTER-AMERICAN HUMAN RIGHTS COMMISSION.

27. WE WILL CONTINUE TO DEVOTE OUR BEST EFFORTS BILATERALLY AND MULTILATERALLY TO PERSUADE THE GOVERNMENTS

OF THE HEMISPHERE THAT RESPECT FOR HUMAN RIGHTS IS A  
FUNDAMENTAL INTERNATIONAL OBLIGATION AND A CRITICAL  
ASPECT OF RELATIONS AMONG ALL OUR COUNTRIES. END QUOTE. HABIB

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